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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RYAN BUNDY, individually; ANGELA
BUNDY, individually; JAMIE BUNDY,
individually; VEYO BUNDY, individually;
JERUSHA BUNDY, individually; JASMINE
BUNDY, individually; OAK BUNDY,
individually; CHLOÉE BUNDY,
individually; MORONI BUNDY,
individually; SALEM BUNDY, individually;
and, RYAN PAYNE, individually,

Plaintiffs,

vs.

UNITED STATES OF AMERICA; DOES 1
through 100; and ROES 1 through 100,
inclusive,

Defendant.

Case No.:2:23-cv-01724

**MOTION TO EXCEED PAGE LENGTH
FOR PLAINTIFFS' OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS**

Plaintiffs Angela Bundy, Jamie Bundy, Veyo Bundy, Jerusha Bundy, Jasmine Bundy,
Oak Bundy, Chloe Bundy, Moroni Bundy, Salem Bundy, Ryan Bundy, and Ryan Payne, by and
through undersigned counsel, hereby file their Motion to Exceed Page Length for Plaintiffs'
Opposition to Defendant's Motion to Dismiss pursuant to Local Rule LR 7-3(c), requesting that
they be permitted to file an Opposition Brief in the above-captioned matter that exceeds the
twenty-four (24) page limitation inherent in said rule. This Motion is based upon the entire case

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1 file, Local Rule 7-3(c), the Declaration of Bret O. Whipple, Esq. attached hereto, and any oral
2 argument that may be brought forth at any future hearing on this matter.

3 DATED on this 22nd day of July, 2024.

4 **JUSTICE LAW CENTER**

5 /s/ Bret O. Whipple
6 BRET O. WHIPPLE, ESQ.
7 Nevada Bar #6168
8 1100 S. Tenth Street
9 Las Vegas, NV 89104
10 Attorney for Plaintiffs

11 **DECLARATION OF BRET O. WHIPPLE, ESQ.**

12 I, Bret O. Whipple, Esq., declare and state as follows:

13 1. I am an attorney licensed in the State of Nevada and practice in both state and
14 federal courts in Nevada, including the United States District Court for the District of Nevada. I
15 am the attorney for the Plaintiffs in this matter.

16 2. The present case before the Court has a substantial history of federal litigation,
17 deriving from at least two (2) other federal cases in the past and being related to a third federal
18 case as well.

19 3. The present case is based heavily on the conduct of the United States of America,
20 through the U.S. Department of Justice, in Case No. 2:16-cr-00046-GMN-NJK, in which the
21 federal government criminally prosecuted almost a dozen individuals in three (3) separate
22 criminal trials.

23 4. Two of the three trials were dismissed directly or indirectly due to egregious
24 behavior by the federal government both before and during the trials themselves. The cases were
25 dismissed after it had been discovered via a Whistleblower Complaint that there were substantial
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1 *Brady* violations, including refusal to turn over all evidence to the Plaintiffs who were charged in
2 the case (with some of the Plaintiffs being the criminal Defendants in the 2016 case).

3 5. The cases were dismissed with prejudice by Judge Gloria Navarro, and this
4 dismissal was upheld unanimously by the Ninth Circuit Court of Appeals.

5 6. There are over three thousand (3,000) docket entries in the 2016 case.

6 7. Plaintiffs need about 40-50 pages for their Opposition because their Complaint is
7 primarily based on very technical and esoteric areas of federal law under the Federal Tort Claims
8 Act, and a lengthy discussion of the law is needed combined with a lengthy discussion of facts in
9 this case that are relevant to Plaintiffs' case-in-chief.
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11 8. Good cause exists to allow Plaintiffs to deviate substantially from the twenty-four
12 (24) page limitation for their Opposition as a lengthy discussion of various items of evidence are
13 required. At the same time, Plaintiffs have pared their Opposition down as much as feasibly
14 possible.
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16 9. This Motion is being filed in good faith and is not being done to obfuscate,
17 hinder, delay, or being done for any improper reason or purpose upon the Court.

18 FURTHER DECLARANT SAYETH NAUGHT
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20 /s/ Bret O. Whipple, Esq.
21 Bret O. Whipple, Esq.
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